IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO. 2152 OF 2002

IN

FIRST APPEAL STAMP NO. 34278 OF 2001

Union of India ..Appellants

versus

Homi J. Amalsadiwala & Ors. ..Respondents

Mr. A. N. Samant for the Appellants.

None for the Respondents.

CORAM : D. G. DESHPANDE,J.

DATE : 17TH OCTOBER,2005

P.C. :

1. Heard counsel for the Appellants. None for the Respondents.

2. This appeal involves a very short question of as to from when the interest is to be paid. I have decided this issue in various appeals, viz. First Appeal No. 573 of 2002.

3. Civil Application No. 2152 of 2002 is for condonation of delay of 44 days in filing the Appeal. Delay is condoned. Civil Application for

condonation of delay, is allowed and disposed of.

4. A short question is involved and raised in this matter which can be decided finally at the stage of admission itself. Admit.

5. Learned Counsel for the appellants contended that the interest should be made payable from the date of the order till the date of deposit. Therefore, I pass the following order:

ORDER

. Appeal is partly allowed.

. Impugned judgment is modified to the extent that the appellants to pay interest from the date of the order till the date of deposit. No order as to costs.

. Appeal disposed of accordingly with Civil Applications.

17.10.2005 (D.G. DESHPANDE, J.)

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